

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NEWPORT NEWS DIVISION**

IN RE:

CHRYSTAL MARIE MARTINEZ-WESINGER

CASE NO: 14-51264-SCS
CHAPTER 7

Debtor

MOTION TO WITHDRAW AS COUNSEL FOR DEBTOR

To The Honorable Stephen C. St. John, U. S. Bankruptcy Judge:

This day came, Richard C. Langhorne, Esquire (hereinafter referred to as “Movant”), and hereby respectfully requests leave to withdraw as counsel for the Debtor, Chrystal Marie Martinez-Wesinger and in support thereof, states as follows:

1. Movant was retained to represent the Debtor in a Chapter 7 Bankruptcy case filed in this Court on September 10, 2014. Debtor received her discharge on December 24, 2014.
2. On October 20, 2016, Movant filed a Motion requesting to reopen the Debtor’s Chapter 7 bankruptcy to allow the filing of amendments to Schedules B and C, and a hearing was scheduled for December 9, 2016. On the afternoon of December 8, 2016, Movant received information that creates a conflict with the Debtor pursuant to the Rules of Professional Conduct and Movant is requesting permission to withdraw as counsel for the Debtor.

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3. At the hearing on December 9, 2016, for the Court to consider the Motion to Reopen the Chapter 7, Movant requested to withdraw the Motion, without prejudice to the Debtor, in light of the conflict which had arisen. The Court denied the Motion to Withdraw and Ordered the case reopened and instructed Movant to file a separate Motion to Withdraw if he deemed it appropriate.

4. Pursuant to the Virginia Rules of Professional Conduct, Movant can no longer represent the Debtor in this matter and seeks permission to withdraw. Pursuant to Local Rule 2090-1(G), Debtor was provided notice of Movant's withdrawal from this matter.

5. When setting a hearing in this matter it is requested that February 10, 2017 be avoided as counsel has a conflict with previously scheduled court appearances..

WHEREFORE, for the foregoing reasons, Movant respectfully requests that this Court enter an Order granting the Movant's Motion to Withdraw as counsel of record for the Debtor, Chrystal Marie Martinez-Wesinger, and provide other and further relief as is just and proper..

RESPECTFULLY SUBMITTED,

By: /s/ Richard C. Langhorne
Of Counsel

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NOTICE

Richard C. Langhorne has filed papers with the Court, a Motion to Withdraw as Counsel (copy attached hereto).

Your rights may be affected. You should read these papers carefully, and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult with one.)

If you do not wish the Court to grant the relief sought in the following Motion, or if you want the Court to consider your views, then within twenty-one (21) days from the date of service of this Motion, you or your attorney must:

[] File with the Court, at the address below, a written request for hearing (or a written response pursuant to Local Bankruptcy Rule 9013-1 (H). If you mail your request for hearing (or response) to the Court for filing, you must mail it early enough so the Court will **receive** it on or before the date stated above.

Clerk of Court
United States Bankruptcy Court
600 Granby Street, Room 400
Norfolk, Virginia 23510-1915

You must also mail a copy to:

Richard C. Langhorne, Esquire
P.O. Box 1119
Gloucester, Virginia 23061

and

David R. Ruby, Esquire
ThompsonMcMullan, P.C.
100 Shockoe Slip, 3rd Floor
Richmond, Virginia 23219

[X] Attend a hearing to be scheduled at a later date. You will receive a separate notice of hearing. Any objections to the Motion to Withdraw as Counsel must be filed at least seven (7) days prior to the hearing date. **If no timely response has been filed opposing the relief requested, the Court may grant the relief without holding a hearing.**

CHRYSTAL MARTINEZ-WESINGER

/s/ Richard C. Langhorne

By: _____
Of Counsel

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State Bar #20624
P.O. Box 1119
Gloucester, Virginia 23061
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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the forgoing Motion and Notice was sent electronically or mailed via 1st Class U.S. Postal Service this 3rd day of January, 2017, to the Debtor, Chapter 7 Trustee, and the United States Trustee.

/s/ Richard C. Langhorne
Richard C. Langhorne